

11/16/15

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Received & Inspected

NOV 27 2015

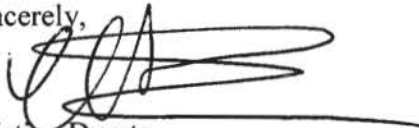
FCC Mail Room

Re: Mezmo Corporation, Petition for Waiver of Rule—CG Docket No. 03-123

Dear Ms. Dortch,

Please find attached InnoCaption's Petition for Waiver of the three-way calling requirement in rule 47 C.F.R. § 64.604(a)(3)(vi)(3).

Sincerely,



Cristina Duarte
Senior Regulatory Affairs Manager
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ENCLOSURE

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

Received & Inspected

NOV 27 2015

FCC Mail Room

In the Matter of

Emergency Calling Requirements
Applicable to Internet-based TRS
Providers

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CG Docket No. 03-123

PETITION FOR WAIVER OF RULE

Pursuant to Section 1.3 of the Commission's rules,¹ Mezmo Corporation ("InnoCaption") hereby requests a waiver of the Federal Communications Commission's ("Commission") rule 47 C.F.R. § 64.604(a)(3)(vi)(3). The portion of this rule at issue requires IP CTS providers to be capable of making and receiving three way calls for their users. While other IP CTS providers are capable of setting up three way calling functionality, this requirement is currently not technically feasible using InnoCaption's technology.

In 2014 the Commission terminated the indefinite waiver for IP CTS providers of the Commission's three-way calling requirement.² Termination of the waiver was based on many IP CTS providers already having implemented solutions for three-way calling. While many, if not all other, IP CTS providers are able to meet this requirement, it is not currently technically feasible using InnoCaption's technology. InnoCaption provides its users with seamless call connection to facilitate the manner in which calls are placed and received. The seamless call connection is made possible by using maximum automation. In other words, the InnoCaption

¹ 47 C.F.R. § 1.3.

² See Federal Communication Commission, *2014 Report and Order* at ¶ 20

technology eliminated the necessity of having a third party, or CA, with the ability to control the phone calls. InnoCaption CA's only have the ability to hear the party being captioned, and to provide the captioning. The CA does not hear the user and is not able to communicate with them.³ Furthermore, InnoCaption CA's do not have the ability to relay calls, or make/receive calls through the server. This limitation makes it technically infeasible for an InnoCaption CA to place a three-way call.⁴

CONCLUSION

At this time, three-way calling is not technically feasible using InnoCaption's technology. InnoCaption is dedicated to providing functional equivalence to its users and will continue in their efforts to develop a solution to this technical infeasibility. Waiver of the Commission's three-way calling rules would serve the public interest by allowing InnoCaption to provide IP CTS to its users while the company conducts research and testing to attempt to overcome the technical infeasibility. Accordingly, InnoCaption respectfully requests a waiver of the Commissions rule 47 C.F.R. § 64.604(a)(3)(vi)(3).

Respectfully Submitted,


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³ The exception to the CA's ability to communicate with the user is where there is suspected fraud. In an instance where fraud is suspected, the CA is able to press a button to send an automated warning message to the user.

⁴ However, InnoCaption would like to note that users are able to participate in conference calls by using one of the many audio tele-conference (ATC) call services. These are specialized services via that provide a conference bridge that allows participants to access a conference call.

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DECLARATION UNDER PENALTY OF PERJURY OF CRISTINA DUARTE

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I swear under penalty of perjury that I am Cristina Duarte, Senior Regulatory Affairs Manager, an officer of the above-named applicant, and that I have examined the foregoing submissions, and that all information required under the Commission's rules and orders has been provided and all statements of fact, as well as documentation contained in this submission, are true, accurate, and complete.

/s/ Cristina Duarte

Cristina Duarte

November 16, 2015